

REMARKS

In accordance with the foregoing, claims 1 and 20 are amended. No new matter is being presented, and approval and entry of the amended claims are respectfully requested.

Claims 1-21 are pending and under consideration.

Claims 1-3, 5-10, 12-13, and 15-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee (U.S.P. 5,921,095) in view of Shelton et al. (U.S.P. 5,722,244), claims 4 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Shelton and Park et al. (U.S.P. 6,412,286); and claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Shelton and Kobayashi et al. (U.S.P. 4,795,088).

The rejections are traversed.

ENTRY OF AMENDMENT UNDER 37 CFR §1.116

Applicant requests entry of this Rule 116 Response because it is believed that the amendment of claims 1 and 20 puts this application into condition for allowance and should not entail any further search by the Examiner.

Claim 1, as amended, recites a sectional refrigerator including "a plurality of cooling cabinets having respective storage compartments with openings; ... and at least one of the plurality of cooling cabinets being different in size than another of the plurality of cooling cabinets.

In item 3, entitled "Response to Arguments" the Examiner indicates that:

limitation "a plurality of stackable cooling cabinets" was added in line 2. PTO examined and rejected this version of the claim, however, the applicant is asked to formally submit an amendment to this claim in future correspondence.

(Action at page 2).

Accordingly claim 20 is amended herein to recite a plurality of "stackable" cabinets.

ACTION IS INCOMPLETE AND FINALITY IS PREMATURE

Applicants respectfully submit that the current Office Action is incomplete since the Examiner has not responded to many of Applicants' arguments traversing the rejections, from the Office Action mailed September 20, 2004 (Action 1), in the Amendment filed December 20, 2004.

For example, in traversing the rejection of claims 1-3, 5, 7, 12-13, 15-16 and 20-21 under 35 U.S.C. §103(a) as being unpatentable over Lee, Applicants argued that Lee teaches away from a modification, as the Examiner contends, since Lee discusses merely units that are

mounted side-by-side with neighboring brackets and claps. In traversing the rejection of claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Park, Applicants argued there is no reasonable expectation of success to modify Lee as the Examiner contends since Lee discusses cabinets with neighboring insulation while Park discusses thermoelements that are located within an inner and an outer casing. In traversing the rejection of claim 11, Applicant argued there is no reasonable expectation of success to modify Lee discussing selectable combinations with an inverter circuit as discussed by Kobayashi.

The Examiner has not responded to any of these arguments, but merely repeated the contentions from Action 1. As set forth in MPEP §707.07(f) entitled Answer All Material Traversed:

an examiner must provide clear explanations of all actions taken by the examiner during prosecution of an application.

Applicants respectfully submit that the current office action is incomplete since the Examiner has not responded, at all, to many of Applicant's arguments traversing the rejections. As set forth in MPEP § 706.07(d):

(i)f, on request by applicant for reconsideration, the primary examiner finds the final rejection to have been premature, he or she should withdraw the finality of the rejection.

Summary

Applicants request withdrawal of the finality of current Action as incomplete and premature.

ITEM 6: REJECTION OF CLAIMS 1-3, 5-10, 12, 13 AND 15-21 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER LEE IN VIEW OF SHELTON

Independent claim 1, as amended, recites a sectional refrigerator including "a plurality of cooling cabinets having respective storage compartments with openings;. . . and at least one of the plurality of cooling cabinets being different in size than another of the plurality of cooling cabinets."

Independent claims 1 and 12 recite a sectional refrigerator "wherein the plurality of cooling cabinets are detachably connectable to each other in any orientation." (Emphasis added). Independent claim 17 recites a method of refrigeration including seating a first cooling cabinet having a predetermined size; and connecting at least one second detachable, stackable cooling cabinet. Independent claim 20 recites a sectional refrigerator including "a plurality of stackable cooling cabinets detachably connectable from each other in any orientation, stackable, and having storage compartments with doors." (Emphasis added).

According to aspects of the present invention, a plurality of cooling cabinets can be combined variously according to the shape of the seating place or a user's desires. Further, each cooling cabinet respectively forms the storage compartments even after assembly of the plurality of cooling cabinets.

The Action concedes that Lee does not discuss that:

cooling cabinets could be oriented in any direction or in a hexahedronal shape, the use of an evaporator, that the refrigerated compartments are stackable and that the compressor-condenser-expansion valve circuit is separated from the main system, coupled to the cooling units via duct.

(Action at page 3).

However, the Examiner rejects independent claims 1, 12, 17, and 20 (and respective dependent claims 2-3, 5-10, 13, 15-16, 18-19 and 21) under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Shelton. (Action at pages 2-3).

The Examiner contends that Shelton discusses "a method of stacking compartments (col. 4, lines 62-63) to be old in the refrigeration art. The Examiner further contends it would have been obvious to modify Lee with Shelton.

Applicants submit that none of the art relied on by the Examiner, alone or in combination, discuss cooling cabinets are detachably connectable to each other, and in "any orientation."

Lee does not discuss a refrigerator including "a plurality of cooling cabinets having respective storage compartments with openings;. . . and at least one of the plurality of cooling cabinets being different in size than another of the plurality of cooling cabinets."

Rather, Lee discusses that a plurality of refrigerating units (100, 200, 300) are needed to be the same size and be connected in a horizontal direction so that the insulation member (12) is not exposed to the outside.

That is, Lee teaches away from cabinets of different sizes to prevent an insulation member being exposed to the outside if the different size refrigerating units are connected in the horizontal direction.

In addition, Lee does not discuss that the cabinets can be oriented in any direction. Rather, Lee teaches away from the same by discussing that cabinets are mounted against each other with side-faces touching with clamps 14 and bracket 15. (See, for example, FIGs. 8-9). Lee discusses (col. 5, lines 20-35):

. . . clamps 14a are attached on the upper surface of the machinery section 10 formed in the upper portion of one refrigerating unit and the rear surface of the refrigerating unit, respectively, and a plurality of clamp hangers 14b are attached to

the portions of another refrigerating unit, . . . the neighboring insulation members 12 closely contact with each other, for thus forming the expandable refrigerator according to the present invention.

(Emphasis added).

The Examiner contends that Shelton discusses a first ice cube maker (20) is stacked on the second ice cube maker (60).

However, Shelton, discusses, a first ice cube maker and a second ice cube maker, having the same size, which are stacked in a manner contrary to recited plurality of cooling cabinets of the present invention.

The plurality of cooling cabinets in the present invention have "respective" storage compartments.

This feature is not discussed by Shelton. Rather, the first ice cube maker (20) and second ice cube maker (60) do not have respective cooling compartments which are isolated from each other since there is a flow of cool air between the compartments.

In addition, Shelton does not discuss that the compartments can be oriented in any direction. Rather, Shelton teaches away from the same by discussing (col. 4, starting at line 46):

if another ice cube maker is used, the top panel of the first ice cube maker is removed. The base of the second ice cube maker is placed on top of the first ice cube maker and serves as the top of the first ice cube maker. . . . The first ice cube maker and second ice cube maker . . . deposit cubes into the storage bin.

(Emphasis added).

That is, Shelton only teaches one ice cube maker on top of another one ice cube maker and both being on top of a base, so the ice can drop in a downward direction, i.e., not sideways in any orientation.

Further, one of understanding of the art would not look to modify Lee that discusses using with brackets to mount units side-by-side to Shelton that discusses mounting units on top of one another.

Conclusion

Since features recited in the claims are not discussed by the art relied on by the Examiner, there is no reasonable chance of success to combine the art in a manner as the Examiner suggests and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 1-3, 5-10, 12, 13 and 15-21 allowed.

ITEM 7: REJECTION OF DEPENDENT CLAIMS 4 AND 14 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER LEE IN VIEW OF SHELTON AND PARK

Dependent claims 4 and 14, using claim 4 as an example, recite, a cool air generating part including " thermoelectric semiconductor elements respectively provided in the cooling cabinets. "

The Action concedes that Lee and Shelton do not discuss using a thermoelectric semiconductor as a cooling element. The Examiner contends that Park, however, discusses the use of thermoelectric semiconductors, and rejects dependent claims 4 and 14 under 35 U.S.C. §103(a) as being unpatentable over Lee in view of Shelton and Park.

Applicants submit there is no reasonable expectation of success to combine Lee and Shelton in a manner as the Examiner suggests

Lee discusses (col. 4, lines 34-36) that the "machinery section 10 in which a compressor (not shown) is installed is formed in an upper portion of a left refrigeration unit 100 which is adapted to be expanded, " and (col. 5, lines 30-35) "the neighboring insulation members 12 closely contact with each other, for thus forming the expandable refrigerator."

On the other hand, Park discusses (col. 3, lines 50-62):

thermoelement 20 is installed in the rear wall of the inner casing 11 . . . The inner casing is housed by an outer casing. . . the inner and outer casings 11 and 12 are assembled together such that a gap is defined between them and is filled with urethane foam to form the insulation wall.

That is, there is no reasonable chance of success to combine Lee 's neighboring insulation members of units with thermoelements as taught by Park, as the Examiner contends.

Conclusion

Since there is no reasonable chance of success to combine the art in a manner as the Examiner suggests and *prima facie* obviousness is not established, the rejection should be withdrawn and claims 4 and 14 allowed.

ITEM 8: REJECTION OF DEPENDENT CLAIM 11 UNDER 35 U.S.C. §103(a) AS BEING UNPATENTABLE OVER LEE IN VIEW SHELTON AND KOBAYASHI

The Examiner rejects dependent claim 11 under 35 U.S.C. §103(a) as being unpatentable over Lee in view Shelton and to Kobayashi. (Action at page 5).

The Examiner rejects dependent claim 11 under 35 U.S.C. §103(a) as being unpatentable over Lee in view Shelton and to Kobayashi. (Action at page 5).

Dependent claim 11 recites that "the compressor, the condenser, the electronic expansion valves, and the evaporators form a refrigeration cycle, and the refrigeration cycle

further comprises an inverter circuit."

The Action concedes that these features are not taught by Lee in view of Shelton. The Examiner contends that Kobayashi teaches the use of an inverter, and it is obvious to modify Lee so as not to exceed the initialized maximum capacity which has been predetermined (col. 5, lines 16-21).

Applicants submit there is no reasonable expectation success to combine the art in a manner as suggested by the Examiner. Lee discusses a selectable temperature combination (See, for example, Figs. 12 and 13 for example "refrigerating + refrigerating +freezing" and "freezing+ refrigerating + refrigerating."

Applicants submit that there is no reasonable expectation of success of modifying Lee with an inverter circuit as taught by Kobayashi for controlling a speed an capacity of a blower to achieve such selectable combinations.

Conclusion

Since there is no reasonable chance of success to combine the art in a manner as the Examiner suggests and *prima facie* obviousness is not established, the rejection should be withdrawn and claim 11 allowed.

CONCLUSION

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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